



Environmental and Public Protection Cabinet
Department for Environmental Protection
Division of Water
14 Reilly Road
Frankfort, Kentucky

Kentucky Pollutant Discharge Elimination System

Public Notice No. 2006-20

Date of Notice: June 16, 2006

Comments Due By: July 20, 2006

The Kentucky Department for Environmental Protection, Division of Water proposes to issue, modify or terminate Kentucky Pollutant Discharge Elimination System (KPDES) permits for the treated wastewater discharges listed below.

KPDES PERMIT ISSUANCE

HARLAN COUNTY HIGH SCHOOL (Harlan County Board of Education), Kentucky 119, Mile 17, Rosspoint, Kentucky. KPDES No. KY0106372. This permit action involves a new sanitary discharge from a school that enters the Poor Fork of the Cumberland River at mile point 699.34 in Harlan County. Permit Writer: Ross Bishop.

KPDES PERMIT REISSUANCES

1. **CANEYVILLE WASTEWATER TREATMENT PLANT** (City of Caneyville), 495 Hunt Road, Caneyville, Kentucky. KPDES No. KY0072044. This permit action involves an existing source discharge of sanitary wastewater from a wastewater collection and treatment facility that enters an unnamed tributary of Caney Creek at mile point 31.5 in Grayson County. Permit Writer: Robert S. Clay, Jr.
2. **HEARTLAND CAMPGROUND AND RECREATION, INCORPORATED** (Gillis and Barbara Boils), 300 Campground Road, Campbellsville, Kentucky. KPDES No. KY0077313. This permit action involves an existing source discharge of sanitary wastewater from a campground, store, laundry and office (SIC Code 7032) that enters an unnamed tributary at mile point 0.3 in Taylor County. The unnamed tributary enters another unnamed tributary at mile point 0.3 which then enters the Green River at mile point 299.3. Permit Writer: Dan Juett.
3. **WITTENSVILLE APARTMENTS** (Ray Pennington), 436 Combs Drive, Wittensville, Kentucky. KPDES No. KY0101664. This permit action involves an existing source discharge of sanitary wastewater from a residential apartment complex (SIC Code 6513) that enters Rush Fork at mile point 0.3 in Johnson County. Permit Writer: Dan Juett.

KPDES COAL GENERAL PERMIT COVERAGE

1. **CENTRAL APPALACHIAN MINING, LLC** Brushy Fork Road and Kentucky Route 194, Pikeville, Kentucky. KPDES No. KYG045567. This permit action involves coal mine related drainage from surface mining and storm water runoff that enters Bevin's Branch, an unnamed tributary of Bevin's Branch, Lick Branch, John's Branch, Tom's Branch and Buffalo Creek in Pike County. Permit Writer: Diane Davidson.
2. **CUMBERLAND RIVER COAL COMPANY**, Kentucky 806 and US 119, Appalachia, Kentucky. KPDES No. KYG045815. This permit action involves coal mine related drainage from surface mining and storm water runoff that enters Frank's Creek and Joe Day Branch in Letcher County. Permit Writer: Diane Davidson.

KPDES PERMIT INTENT TO DENY

MILLARD TRAILER PARK, 15 Rocky Road, Pikeville, Kentucky. KPDES No. KY0105465. This permit action involves an existing un-permitted discharge of sanitary wastewater from a mobile home park that enters Levisa Fork in Pike County. Levisa Fork enters the Big Sandy River at mile point 124.0. This permit is being denied for failure to obtain a construction permit from the Division of Water. Permit Writer: Robert S. Clay, Jr.

NOTICE OF KPDES PUBLIC HEARING

CLINTWOOD ELKHORN MINING COMPANY

Date of Public Hearing: July 20, 2006
Time of Public Hearing: 6:00 p.m. (e.s.t.)
Comments Due By: July 20, 2006

The Director of the Kentucky Division of Water, Department for Environmental Protection, has scheduled a Public Hearing for the purpose of soliciting input and comments from concerned individuals on this draft permit.

CLINTWOOD ELKHORN MINING COMPANY, Route 194, Phyllis, Kentucky. KPDES No. KY0092509. This permit action involves a new source discharge of process wastewater and storm water runoff from a coal preparation plant and associated areas that enters Island Creek and Levisa Fork in Pike County. Permit Writer: Diane Davidson.

This hearing will be held on **July 20, 2006 at the DSMRE Regional Office Building, 121 Mays Branch Road, Pikeville, Kentucky**. So that all comments receive full consideration, they are not responded to at the hearing. However, all comments will be considered by the Division prior to any final action and a response to comments prepared in accordance with 401 KAR 5:075, Section 11 and 12. Persons wishing to comment upon, support or object to this proposed action are invited to submit comments to the Division of Water, KPDES Branch, 14 Reilly Road, Frankfort, Kentucky 40601. **All comments must be received by July 20, 2006.** The permittee's name and KPDES number should be included in the first page of the comments.

Additional information or copies of the draft permit may be obtained by contacting Ann Workman or Diane Davidson, Division of Water, KPDES Branch at (502) 564-3410. Three (3) days advance notice may be required for inspection of files.

The meeting facility is accessible to people with disabilities. The cabinet will provide, upon request, reasonable accommodations including auxiliary aids and services necessary to afford individuals with disabilities an equal opportunity to participate in all programs and activities. If an interpreter or other auxiliary aid or service is needed, contact Courtney Seitz in the Environmental and Public Protection Cabinet, Division of Water, KPDES Branch before July 17, at (502) 564-3410 between 8:00 a.m. and 4:30 p.m. (e.s.t.).

Commonwealth of Kentucky Antidegradation Statement

Antidegradation determinations have been made in regard to the permits referenced in this Public Notice. Any information concerning the foundation of the Division's position as to these determinations is addressed in the permits' Statement of Basis or Fact Sheets and all supporting documentation is available in the permit files maintained at the Division central office in Frankfort, Kentucky. Kentucky's antidegradation policy is found in Regulation 401 KAR 5:029, Section 1. Antidegradation policy implementation methodology is defined in Regulation 401 KAR 5:030. The primary purposes of these regulations is to safeguard the surface waters of the Commonwealth for their designated uses, to prevent the creation of any new pollution of these waters, and to abate any existing pollution.

GENERAL INFORMATION

The KPDES program issues permits for all treatment facilities which discharge, or propose to discharge, to waters of the Commonwealth which are classified for domestic water supply, for fish and aquatic life, and for recreation. Proposed KPDES permits are written to protect the classified uses of receiving waters and contain limitations on the amounts of pollutants to be discharged and other conditions. The proposed permits are drafted in accordance with applicable provisions of the Kentucky Revised Statutes and appropriate regulations. The permit conditions are tentative and open to comment from the public. Persons wishing to comment upon or object to the proposed action (permit issuance, modification or termination) or the proposed permit conditions are invited to submit comments to the Division at the following address: **Department for Environmental Protection, Division of Water, KPDES Branch, Frankfort Office Park, 14 Reilly Road, Frankfort, Kentucky 40601, Attention: Inventory & Data Management Section.** The comments must be received by the comment due date stated at the beginning of this notice. The applicant's name and KPDES number should be included in the comments.

Interested persons may also request that the Director of the Division hold a public hearing on any application. The request must be filed within the comment period and must indicate the interest of the party filing it and the reasons why a hearing is warranted. When there is public interest, the Director will hold a public hearing pursuant to 401 KAR 5:075, Section 7. After consideration of comments submitted during the comment period, the hearing record, if any, and the requirements of the Federal and State Acts and appropriate regulations, the Director of the Division will make a determination regarding final permit action.

Permit applications, draft permits, fact sheets or statements of basis, and additional information are available by contacting the Division of Water. Business hours are 8:00 a.m. to 4:30 p.m. Monday through Friday, except for holidays. A copy machine is available for public use at 10 cents per page. Three (3) days advance notice may be required for inspection of files. **Please bring the preceding to the attention of persons whom you know will be interested.**

The Environmental and Public Protection Cabinet does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and provides, upon request, reasonable accommodation including auxiliary aids and services necessary to afford individuals with disabilities an equal opportunity to participate in all programs and activities.
